

Buildings and General Services  
Office of Purchasing & Contracting  
10 Baldwin St  
Montpelier VT 05633-7501  
USA

<b>Contract ID</b>			Page
0000000000000000000011096			1 of 4
<b>Contract Dates</b>	<b>Origin</b>		
11/15/2006 to 11/14/2009	CPS		
<b>Description:</b>	<b>Contract Maximum</b>		
CPS-TRAFFIC CONES	\$999,999.00		
<b>Buyer Name</b>	<b>Buyer Phone</b>	<b>Contract Status</b>	
Sellers, Stuart	828-3701	Approved	

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1	8572	TRAFFIC CONES, VARIOUS	EA	0.01000	0.00	0.00

a. 20-199 \$8.56 RS90045CT

# State of Vermont

Buildings and General Services  
Office of Purchasing & Contracting  
10 Baldwin St  
Montpelier VT 05633-7501  
USA

## CONTRACT



**Vendor ID 0000261266**  
**JBC Safety Plastics**  
**12245 Florance Ave**  
**Santa Fe Springs CA 90670**  
**USA**

<b>Contract ID</b> 0000000000000000000011096		<b>Page</b> 2 of 4
<b>Contract Dates</b> 11/15/2006 to 11/14/2009		<b>Origin</b> CPS
<b>Description:</b> CPS-TRAFFIC CONES		<b>Contract Maximum</b> \$999,999.00
<b>Buyer Name</b> Sellears, Stuart	<b>Buyer Phone</b> 828-3701	<b>Contract Status</b> Approved

**Phone #: 866-742-5522**

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
	b. 200-399	\$8.42 RS90045CT				
	c. 400-999	\$8.32 RS90045CT				
	d. 1000 +	\$8.22 RS90045CT				
	Item #10 - Same as Item 9, except with 6" and 4" reflective sheeting bands.					
	a. 20-199	\$13.76 RS90045CT3M64				
	b. 200-399	\$13.23 RS90045CT3M64				
	c. 400-999	\$13.13 RS90045CT3M64				
	d. 1000 +	\$13.03 RS90045CT3M64				
	Item #11 - Stenciled Markings: (Average: 7 Letters/Cone)					
	1" Block Letters	\$0.00 Stencil				
	2" Block Letters	\$0.00 Stencil				
	3" Block Letters	\$0.00 Stencil				

### CONTRACTOR NOTES:

1.) Regarding Item #11, no separate set-up charge is allowed.

### MINIMUM ORDER:

Minimum order is 20 cones. Contractor will accept orders for less, freight prepaid and shipping costs added to invoice with freight bill attached and such orders will be FOB Destination.

Guaranteed Delivery: 30 days A. R. O.

### CONTRACT TERMS AND ADDITIONAL INFORMATION

THIS CONTRACT IS ALSO ISSUED ON BEHALF OF THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VT AND THE VERMONT TECHNICAL COLLEGE. THIS ALSO APPLIES TO THE UNIVERSITY OF VERMONT.

POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN THIS CONTRACT AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS & GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

Customer Satisfaction Survey: To help us understand how we can better serve you, we are interested in receiving your comments regarding the quality of service you received in you most recent interaction with the Department of Buildings & General Services (BGS). Please complete the on-line Customer Comment Form at [http://www.bgs.state.vt.us/forms/bgs\\_surveys/index.php?type=customer&action=customer](http://www.bgs.state.vt.us/forms/bgs_surveys/index.php?type=customer&action=customer)

THIS CONTRACT IS ISSUED IN CONJUNCTION WITH THE STATE OF NEW YORK AWARD # 20187 RA AND CONTRACT #PC62812, AND INFORMATION CONTAINED IN THE RFP AND NEW YORK AWARD AND CONTRACT IS MADE A PART OF THIS CONTRACT.

DELIVERY: FOB DESTINATION, ANY POINT IN VERMONT, TAILGATE DELIVERY

CONTRACT TERM: THIS CONTRACT IS WRITTEN FOR AN INITIAL TWO YEAR TERM WITH OPTION FOR TWO ONE-YEAR EXTENSIONS (NYS AWARD ALLOWS UP TO FIVE YEARS EXTENSIONS)- NOTE: AWARD PRICES ARE SUBJECT TO TO AN INCREASE OR DECREASE AFTER THE FIRST FOUR MONTH PERIOD OF THE CONTRACT, AND EVERY FOUR MONTHS THEREAFTER. NEW YORK WILL ISSUE A PURCHASING MEMORANDUM TO REFLECT CHANGE. OPTION FOR SHORT TERM EXTENSION(S) MAY BE BASED ON NEW YORK STATE EXTENSION(S). ANY SUCH EXTENSIONS SHALL TERMINATE SHOULD A REPLACEMENT CONTRACT BE ISSUED IN THE INTERIM.

PRICE CHANGES AFTER INITIAL FOUR MONTHS: will be based on the Producer Price Index (PPI) Series Id: PCU325211325211P for Plastics Material & Resins Manufacturing - Primary Products as most recently published by the U.S. Department of Labor, whether or not indicated as "preliminary and according to the formula in the New York contract..

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**Phone #: 866-742-5522**

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The State will not effect any price adjustments, either increases or decreases, for percentage changes of two percent (2%), or less.

PRICE DECREASES ARE ALLOWED AT ANY TIME.

PHONE: 866-742-5522  
ALTERNATE PHONE: 314-255-9501  
FAX: 636-825-0367  
EMAIL: GERRY@JBCSAFETY.COM  
CONTACT: GERALD APPELBAUM, SALES MANAGER

RECYCLE CONTENT: 50% TOTAL RECYCLED CONTENT, ALL OF WHICH IS POST CONSUMER.

ATTACHMENT: PURCHASING AND CONTRACT ADMINISTRATION TERMS AND CONDITIONS DATED 01/01/2007 ARE ATTACHED AND INCORPORATED AS PART OF THIS CONTRACT.

QUANTITY: QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE AND MAY BE INCREASED OR DECREASED TO MEET ACTUAL REQUIREMENTS.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT OR ANY PORTION THEREOF PROVIDING, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR CONSISTENT WITH THE TERMS OF THE CONTRACT.

DELIVERY: SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICE. DELIVERIES, WHICH DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT, SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR IN DUPLICATE ON THE VENDOR'S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES.

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.

AMENDMENT #1- A PRICE INCREASE OF 4.4% WAS ISSUED PER STATE OF NY PURCHASING MEMORANDUM DATED 1 FEBRUARY 2008

AMENDMENT #2(OCTOBER 2008)- A PRICE INCREASE OF 23.6% WAS ISSUED PER STATE OF NY PURCHASING MEMORANDUM DATED OCTOBER 1, 2008. CONTRACT TERM IS EXTENDED ONE-YEAR TO 11/14/2009. ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

AMENDMENT #3(FEBRUARY 2009)- A PRICE DECREASE OF 2.8% WAS ISSUED PER STATE OF NY PURCHASING MEMORANDUM DATED FEBRUARY 2, 2009. ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

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WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT

By the CONTRACTOR

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_